

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	CERTIFICATION OF A
)	SEXUALLY DANGEROUS PERSON
LEE SHELTON,)	
Register Number 08524-007,)	
)	
Respondent.)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 18th day of December, 2009.

George E. B. Holding
United States Attorney

BY: /s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Attorney for Petitioner
U.S. Attorney's Office Civil Division
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N.C. Bar # 26068

CERTIFICATE OF SERVICE

This is to certify that I have this 18th day of December, 2009, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Lee Shelton
Reg. No. 08524-007
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Office of the Federal Public Defender
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27601

/s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Attorney for Petitioner
U.S. Attorney's Office Civil Division
310 New Bern Avenue
Suite 800, Federal Building
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Telephone: (919) 575-3900 x 6078
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CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Ivonne E. Bazerman, am Acting Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Lee Edward Shelton, Register Number 08524-007, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina. Inmate Shelton's current period of Bureau custody commenced May 4, 2007, when he was returned to custody pursuant to a warrant issued by the United States Parole Commission (USPC). On October 12, 2007, the USPC issued a Notice of Action revoking his parole, for kissing and hugging a 14-year-old male, and directing that he continue to a presumptive re-parole date after service of 24 months. His original sentence was two terms of three to nine years imprisonment on two counts of Taking Indecent Liberties With a Minor Child, and four terms of 360 days imprisonment on four counts of Simple Assault, with all sentences ordered to run consecutively (D.C. Super. Ct.) (Case No. F10736-89). His offense conduct included molesting an eight-year-old boy on five separate occasions, by rubbing the boy's penis and placing the

boy's hand on his penis. His projected release date is February 3, 2010, via parole.

(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

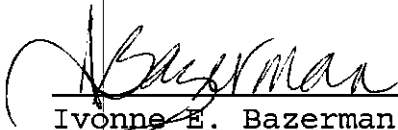
(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by his conduct associated with his original offense and parole revocation. Additionally, he was previously convicted of Taking Indecent Liberties With a Minor and two counts of Simple Assault, in the Superior Court of the District of Columbia (Case No. F-11557-86), for fondling three boys between the ages of nine and ten years old;

(b) A psychological review and assessment indicated an Axis I diagnosis of Pedophilia, Sexually Attracted to Males, Nonexclusive Type;

(c) An assessment of him using two actuarial risk assessment instruments (Static-99 and Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)) was conducted. These results, in addition to his current and prior offense

conduct, a history of revocation or failure to meet the stipulations of conditional release, and failure in sex offender treatment, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



Ivonne E. Bazerman
Acting Chairperson
Certification Review Panel
Federal Bureau of Prisons

11/10/2000
Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
LEE SHELTON,)	
Register Number 08524-007,)	
)	
Respondent.)	

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the Respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the

appropriate fees and expenses to witnesses so subpoenaed.

Pursuant to 18 U.S.C. section 4247(b), the Court ORDERS the government to conduct a psychiatric or psychological examination of Respondent. Pursuant to this section, if the Respondent wishes to request an additional examiner, he shall request such by separate motion to this court.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2009.

W. EARL BRITT
Senior U.S. District Judge